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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA
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11 TRAVELERS PROPERTY CASUALTY) 3:15-cv-00351-HDM-VPC
12 COMPANY OF AMERICA, as subrogee)
13 of PACIFIC CHEESE CO. INC., and) ORDER
14 LAKE VALLEY PROPERTIES, LLC,)
15 Plaintiff,)
16 vs.)
17 ADVANCED COIL TECHNOLOGY, LLC,)
18 PHOENIX HOLDINGS OF OWATONNA,)
19 INC., HUSSMANN CORPORATION,)
20 individually and as successor in)
21 interest to Krack Corporation,)
22 BRIGGS ELECTRONIC, INC., RAY)
23 HEATING PRODUCTS, INC., dba RHP)
24 MECHANICAL SYSTEMS,)
25 Defendants.)
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22 Defendants Advanced Coil Technology, LLC and Phoenix Holdings
23 of Owatonna, Inc. (collectively "ACT defendants") have filed a
24 motion for determination of good faith settlement (ECF No. 202),
25 which they move to file under seal (ECF No. 201). Plaintiff and
26 Hussmann Corporation ("Hussmann") have filed their responses to the
27 motion under seal. (ECF Nos. 214 & 215).

28 The ACT defendants assert that the financial condition of

1 Advanced Coil, which is a factor in the good faith settlement
2 determination, should be protected from public disclosure because
3 "Advanced Coil is a small privately-owned company, which operates
4 in a competitive, niche market" and it would suffer "irreparable
5 harm and severe prejudice" if its financial information were made
6 known to its competitors. Plaintiff does not oppose the motion to
7 seal (ECF No. 205).

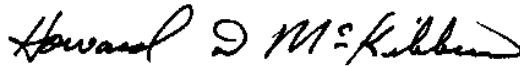
8 The public has a "general right . . . to inspect and copy
9 public records and documents, including judicial records and
10 documents." *Kamakana v. City & County of Honolulu*, 447 F.3d 1172,
11 1178 (9th Cir. 2006). A "party seeking to seal judicial records
12 must show that 'compelling reasons supported by specific factual
13 findings . . . outweigh the general history of access and the
14 public policies favoring disclosure.'" *Pintos v. Pac. Creditors*
15 *Ass'n*, 605 F.3d 665, 678 (9th Cir. 2009). The court must weigh
16 relevant factors, including "public interest in understanding the
17 judicial process and whether disclosure of the material could
18 result in improper use of the material for scandalous or libelous
19 purposes or infringement upon trade secrets," in deciding a motion
20 to seal. *Id.* at 679 n.6 (citing *Hagestad v. Tragesser*, 49 F.3d
21 1430, 1434 (9th Cir. 1995)).

22 The court is persuaded that information regarding Advanced
23 Coil's financial condition could be used for an improper purpose
24 and that to the extent, but only to the extent, the motion for good
25 faith determination discusses such information the motion should be
26 sealed. However, the vast majority of the information Advanced
27 Coil seeks to seal does not relate to or discuss Advanced Coil's
28 financial condition. That information should not be sealed.

1 Accordingly, the motion for leave to file under seal (ECF No. 201)
2 is **GRANTED IN PART**. The motion filed on September 28, 2017,
3 plaintiff's response filed on October 11, 2017, and Hussmann's
4 response filed on October 12, 2017, may remain under seal.
5 However, unsealed copies of the motion for determination of good
6 faith settlement and the responses that redact all information
7 pertaining to Advanced Coil's financial condition shall be filed no
8 later than October 17, 2017. Any and all responses and replies to
9 the ACT defendants' motion for good faith settlement determination
10 shall not be filed under seal except as to the information that
11 discusses Advanced Coil's financial condition, which shall be filed
12 under seal.

13 IT IS SO ORDERED.

14 DATED: This 12th day of October, 2017.

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17 UNITED STATES DISTRICT JUDGE
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